

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE APPLICATION OF :
THE UNITED STATES OF AMERICA FOR AN : APPLICATION
ORDER AUTHORIZING THE RESTRICTED : AND ORDER
DISCLOSURE OF INTERCEPTED WIRE :
AND ELECTRONIC COMMUNICATIONS AND :
UNSEALING AN INDICTMENT :

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1. The United States of America, by and through Preet Bharara, United States Attorney for the Southern District of New York, and Nicholas L. McQuaid, Assistant United States Attorney, hereby makes this application to the Court for an Order, pursuant to the provisions of Title 18, United States Code, Sections 2510-2521, authorizing the disclosure, for the limited purposes of disclosure to certain defendants, making discovery, use in detention hearings, use in other pre-trial preparation and proceedings, and use during trial in United States v. Elvis Santana, et al., 09 Cr. 1022, of certain intercepted wire communications and the unsealing of the applications, orders and reports relating thereto, specifically:

- a. The May 21, 2009 Order (and accompanying Application and Affidavit) authorizing the interception of wire communications occurring over the cellular telephones assigned call number 646-530-6546, with International Mobile Subscriber Identity ("IMSI") number 316010160112074 and call

number 646-530-6368 with IMSI number 316010160105626;

- b. The June 17, 2009 Order (and accompanying Application and Affidavit) authorizing the interception of wire communications occurring over the cellular telephones assigned call number 347-295-8159, with IMSI number 310260460667325 and call number 347-205-3871 with IMSI number 310410190403908;
- c. The July 16, 2009 Order (and accompanying Application and Affidavit) authorizing the continued interception of wire communications and the interception of electronic communications (text messages) over the cellular telephone assigned call number 347-205-3871 with IMSI number 310410190403908;
- d. The August 14, 2009 Order (and accompanying Application and Affidavit) authorizing the interception of wire and electronic communications occurring over the cellular telephone assigned call number 917-519-5431 and IMSI number 310260423274994 and wire communications over the cellular telephone assigned call number 914-299-3193 and Electronic Serial Number ("ESN") 268435456405601879;
- e. The September 11, 2009 Order (and accompanying Application and Affidavit) authorizing the continued interception of wire and electronic communications occurring over the cellular telephone assigned call number 917-519-5431 and IMSI number 310260423274994 and wire communications over the cellular telephone assigned call number 914-299-3193 and ESN 268435456405601879;
- f. The October 9, 2009 Order (and accompanying Application and Affidavit) authorizing the continued interception of wire and electronic communications occurring over the cellular telephone assigned call number 917-519-5431 and IMSI number 310260423274994 and wire communications over the cellular telephone assigned call number 914-299-3193 and ESN 268435456405601879 and authorizing interception of


wire communications over the cellular telephone assigned call number 914-299-3944 and ESN 268435456405612634;

- g. The November 6, 2009 Order (and accompanying Application and Affidavit) authorizing the continued interception of wire and electronic communications occurring over the cellular telephone assigned call number 917-519-5431 and IMSI number 310260423274994 and wire communications over the cellular telephone assigned call number 914-299-3944 and ESN 268435456405612634;
- h. Copies of audio tape recordings made of communications intercepted pursuant to the above orders; and
- i. Log and pertinent overhear sheets relating to interceptions made pursuant to the above orders.

2. The Government further requests that the original tape recordings remain under seal until further order of the Court.

3. The Government further requests that the above-referenced Indictment, United States v. Elvis Santana, et al., 09 Cr. 1022, be unsealed.


Dated: White Plains, New York
November 16, 2009



Nicholas L. McQuaid
Assistant United States Attorney

IT IS SO ORDERED:

Dated: White Plains, New York
November 16, 2009



THE HONORABLE CATHY SEIBEL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK